APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,129	01/23/2004	Mohan R. Duggi	2003.08.008.WT0	6104

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EXAMINER
BRANDT, CHRISTOPHER M

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

<table>
<tr><td rowspan="2">Advisory Action
Before the Filing of an Appeal Brief</td><td>Application No.</td><td>Applicant(s)</td><td></td></tr>
<tr><td>10/764,129</td><td>DUGGI, MOHAN R.</td><td></td></tr>
</table>

	Examiner	**Art Unit**	
	Christopher M. Brandt	2617	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>18 September 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires_____months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of dermining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL -324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: The argued features, i.e. a radio frequency transceiver that is able to wirelessly communicate with other transceivers of the plurality of MANET nodes according to an ad hoc on - demand vector (AODV) protocol, and a controller that is able to receive incoming data packets from the radio frequency transceiver and sends outgoing data packets to the RF transceiver, where the controller receives a Path Marker Request message that is generated by the source MANET node and retrieves first topology data that is associated with the firs t route from the first Path Marker Request message, with the first route topology data identifying all intermediate MANET nodes in the first route coupled to the first MANET node to the source MANET node, reads upon Billhartz in view of Lipasti as follows. Billhartz is discussing that each mobile node includes a router that has communications device to wirelessly and bi -directionally communicate with other nodes over multiple channels via the wireless communication links. In addition, the described method can be applied to any type of On-Demand or Reactive Routing protocol such as Ad-Hoc On-Demand Vector. Therefore, Billhartz discloses the limitation, "a radio frequency (RF) transceiver capable of wirelessly communicating with other ones of said plurality of MANET nodes according to an ad hoc on-demand vector (AODV) protocol". Moreover, Billhartz discloses a controller includes a route discovery unit to transmit route requests over each of the plurality of channels to discover routing to the destination n ode, and a route selection unit to select a route to the destination node at least one of the plurality of channels. Therefore, Billhartz discloses the limitation, "a controller capable of receiving incoming packets from said radio frequency (RF) transceiver and sending outgoing data packets to said RF transceiver". Billhartz also teaches that the source node sends the route request to intermediate nodes. If the node can support to the particular request, then the node forwards the route request to other intermediate nodes. The source node sends the route request to intermediate nodes. Therefore, Billhartz discloses the limitation, "wherein said controller receives a Path Marker Request message generated by said source MANET node and retrieves first route channel identifier data associated with said first route from said firth Path Marker Request message, said route first channel identifier data identifying all intermediate MANET nodes in said first route coupling said first MANET node to said source MAN ET node". Lipasti cures the deficiency of Billhartz by disclosing routing addresses (i.e. topology). With regards to applicant's argument that Lipasti does not disclose "topology", the examiner respectfully disagrees. Lipasti discloses routing addresses that are composed with additional source and destination routing addresses of a mobile ad hoc network and routing packets inside the mobile ad hoc network on the basis of routing addresses. Therefore, these packets contain "topology" or as Lipasti teache s, the packet consists of the path (i.e. route) that includes the source and destination, as well as the next hop (intermediate node). With regards to applicant's argument pertaining to the Billhartz and Lipasti failing to disclose "retrieving route topol ogy data identifying all intermediate MANET nodes in said first route coupling said first MANET node to said source MANET node from the first Path Marker Request message", the examiner respectfully disagrees. First of all, as the independently claims are currently written, routing addresses read on topology because routing addresses describe / designate where the message is intended go based on the addresses that the nodes receive and topology describes how the nodes are connected to each other. In addition, if the nodes could not retrieve these routing addresses or topology the nodes would not be able to send the request to its destination. In addition, the RREPQ includes the discovered route form S to D (Billhartz; column 32 -48), which would mean that the nodes from S to D would have to be identified in order for the response to be received by the source node. Therefore, Billhartz and Lispasti disclose the limitation, "retrieving route topology data identifying all intermediate MANET nodes in said first route coupling said first MANET node to said source MANET node from the first Path Marker Request message" as well as the limitation, "from the first path marker request message". If these routing addresses (i.e. route topology data) could not be retriev ed by the network of Billhartz and Lipasti, how are the route requests and responses arriving at the proper destination? Therefore, the examiner notes that topology or route topology data taken in its broadest interpretation reads on routing addresses. L astly, with regards to applicant's argument that there is not teaching of storing a retrieved route topology data in a route table associated with a controller, the examiner respectfully disagrees. Lispasti discloses this in paragraphs 84 and 87, where Li pasti discloses a routing table is maintained in the memory of mobile nodes in which information about paths to different mobile nodes is stored. In addition, the path may be stored in the memory for some time and an inquiry (907) is not always needed. Fu rther, some routing protocols provide source routing, i.e. the source node may inquire the path and add routing information extensions (23) to packets describing the path to the destination L2.5 address. Intermediary mobile nodes then check the path 904 fr om the packet L2.5 routing header instead of the routing table or the dynamic query. Therefore, the claims are written such that they read upon the cited references.

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10/02/2007

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